

No. 99-4217

Before BEAM, FAGG, and LOKEN, Circuit Judges.

PER CURIAM.

Arkansas inmate Tommie E. Mason filed a civil rights complaint claiming defendant prison officials denied Mason due process by removing him from the prison's general population and housing him in a "max setting" without a hearing. The district court dismissed the complaint without prejudice before service, and Mason appeals. After reviewing the record, we agree with the district court that Mason failed to demonstrate a liberty interest entitling him to due process, because his confinement under the conditions he described does not constitute an atypical and significant hardship upon him beyond the ordinary incidents of prison life. See Sandin v. Conner, 515 U.S. 472, 483-84 (1995). Accordingly, we affirm.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.